

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

OMAR ALOMARI,

Plaintiff,

v.

Civil Action 2:11-cv-00613
Judge Algenon L. Marbley
Magistrate Judge Elizabeth P. Deavers

OHIO DEPARTMENT OF
PUBLIC SAFETY, *et al.*,

Defendants.

ORDER

The parties have filed various discovery-related documents in this case. (ECF Nos. 10, 20, 21 and 27.) The Court did not order the parties to file these discovery documents. Nor have the parties utilized these filings in a court proceeding. The parties have thus violated Rule 5(d)(1), which provides in pertinent part that “disclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses . . . must not be filed until they are used in the proceeding or the court orders filing” Fed. R. Civ. P. 5(d)(1); *see also* S.D. Ohio Civ. R. 5.4 (directing filing of discovery documents only when it becomes necessary for a proceeding or motion).

The Court, therefore, **STRIKES** ECF Numbers 10, 20, 21, 27. The parties are free to re-file any of these documents when they are used in a court proceeding or the Court orders them to do so. Additionally, the parties are **DIRECTED** to cease filing the types of documents set forth in Rule 5(d)(1) until they are used in a proceeding or the Court orders otherwise. The Court notes, however, that striking the parties’ filings from the docket “does not prevent [them] from being effective.” *Valente v. Univ. of Dayton*, No. 3:08-cv-225, 2009 WL 2132631, at *1 (S.D.

Ohio, July 13, 2009).

IT IS SO ORDERED.

Date: June 19, 2013

/s/ *Elizabeth A. Preston Deavers*

Elizabeth A. Preston Deavers
United States Magistrate Judge